



FREDERICK COUNTY PLANNING COMMISSION

September 14, 2011

TITLE: **Anna Prayer Counseling and Retreat Center**

FILE NUMBER: **SP 89-40 (AP #9827, APFO #9829 & FRO #9828)**

REQUEST: **Site Plan**

This applicant is requesting site plan approval to construct a 12,565 square foot building as well as a 1,132 square foot addition onto an existing house for a retreat/conference center located on a 139.5-acre tract.

PROJECT INFORMATION:

LOCATION: Located along Peters Road, west of Roderick Road
ZONE: Resource Conservation (RC)
REGION: Urbana
WATER/SEWER: Water and Sewer Classification: M-U (Multi-use Private).
COMP. PLAN/LAND USE: Institutional

APPLICANT/REPRESENTATIVES: (as applicable)

APPLICANT: Anna Prayer Counseling, Inc.
OWNER: Anna Prayer Counseling, Inc.
ENGINEER: Lavelle & Associates
ARCHITECT: Not Listed
ATTORNEY: Not Listed

STAFF: Tolson DeSa, Principal Planner

RECOMMENDATION: Conditional Approval

Enclosures:

Exhibit #1-Site Plan Rendering
Exhibit #2-Board of Appeals Findings and Decision Case B-09-01

STAFF REPORT

BACKGROUND

Present Proposal:

The applicant is requesting site plan approval to construct a 12,565 square foot building as well as a 1,132 square foot addition onto an existing house for a retreat/conference center located on a 139.5-acre tract.

Existing Buildings on site:

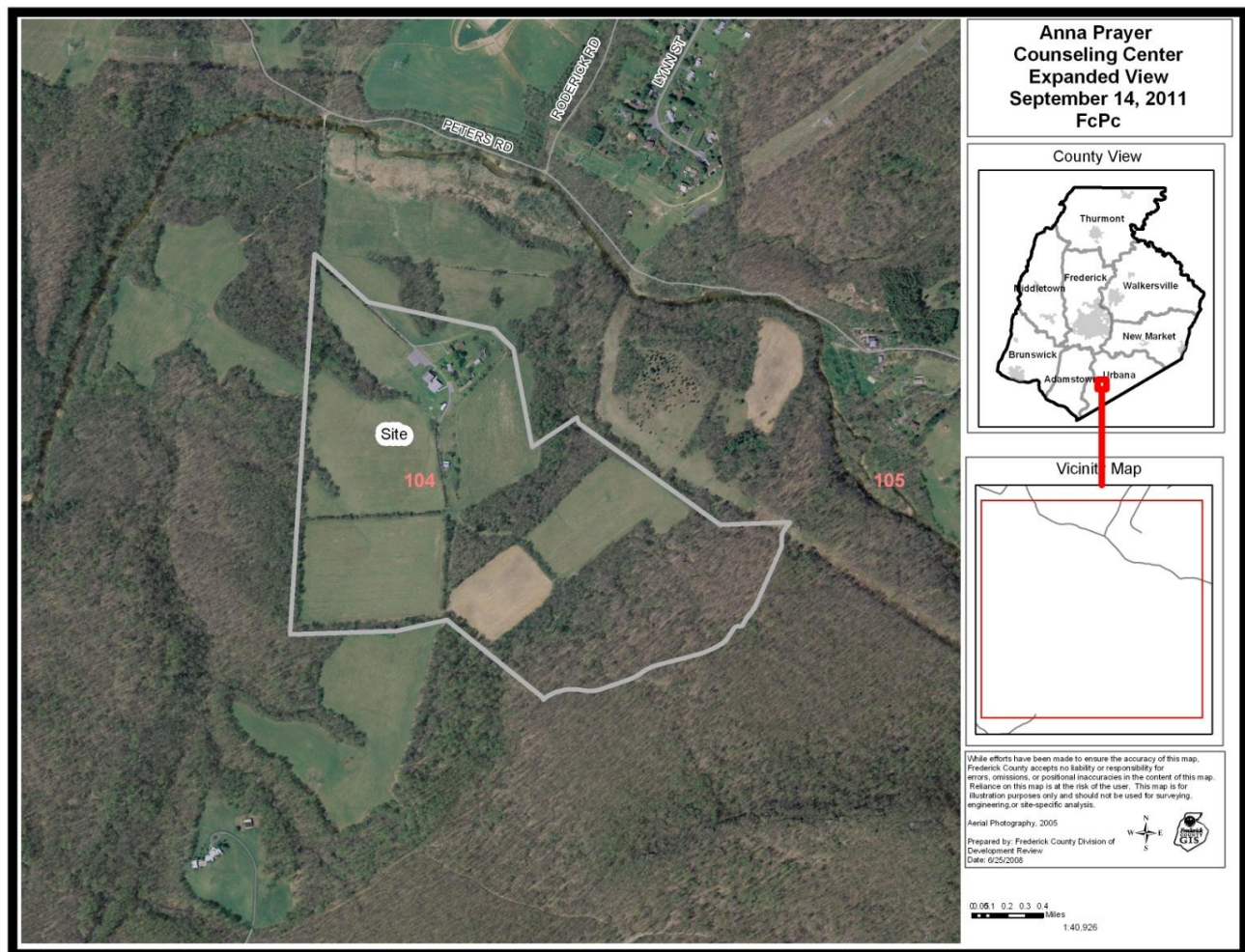
- 1) Existing 1 Story frame house-1,357 sq ft
- 2) Existing Garage-590 sq ft
- 3) Existing youth activities bldg-8,097 sq ft
- 4) Existing House-1,760 sq ft
- 5) Existing Barn-940 sq ft
- 6) Existing 1 Story frame bldg-976 sq ft
- 7) Existing 4 sheds-739 sq ft
- 8) Existing 1.5 Story block building-939 sq ft

Total Existing Building 15,398 sq ft

Proposed Buildings:

- 9) Proposed addition to existing house-1,132 sq ft
- 10) Proposed building-12,565 sq ft

Total Proposed buildings-13,697 sq ft



ANALYSIS

Land Use: The proposed use is being reviewed as an “Place of Worship/Retreat Center” under *Institutional* per §1-19-5.31 in the Zoning Ordinance and is a principal permitted use with Special Exception approval in the (RC) Zoning District subject to site development plan approval.

Board of Appeals History:

The applicant originally received Board of Appeals (BOA) approval on July 22, 1986; approval was granted for 4 seminars with a maximum of 60 persons in attendance. Case #B-86-76 resolutions are listed on the site plan.

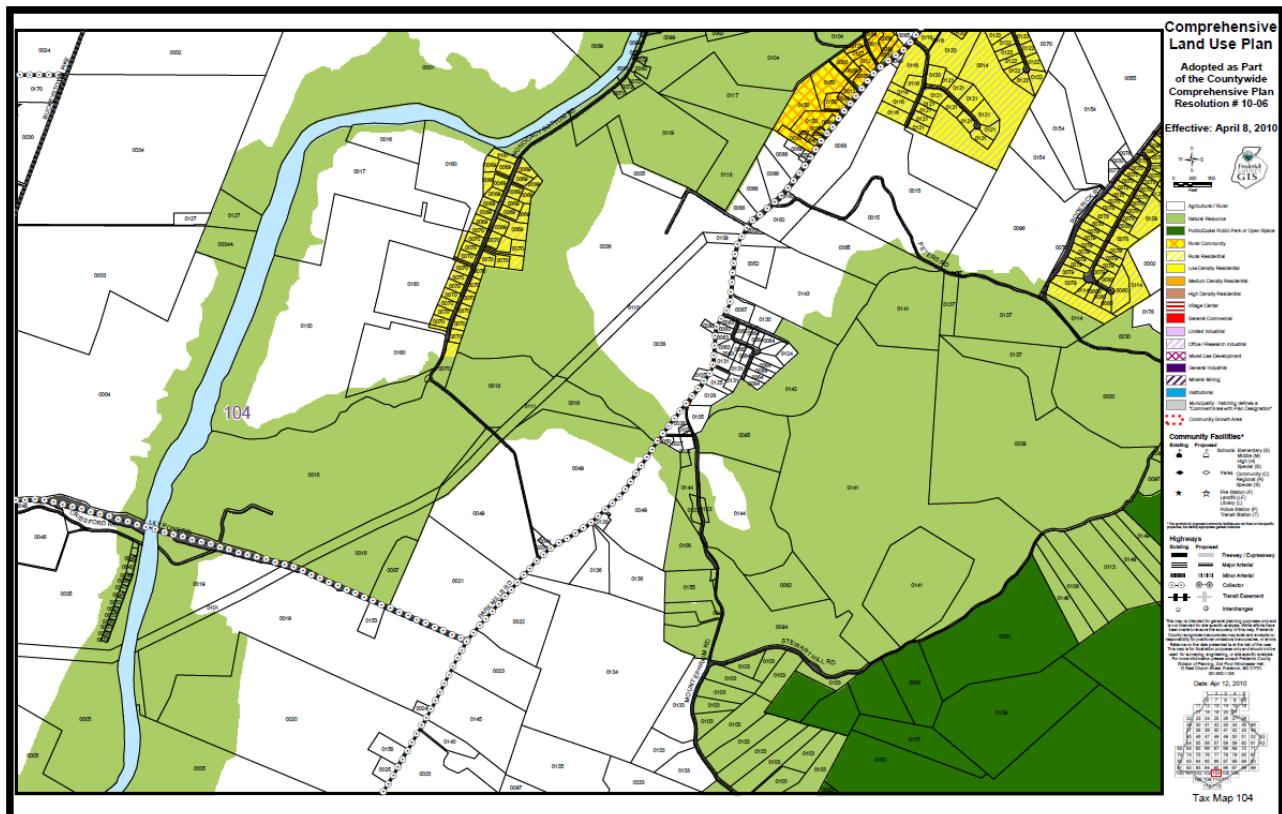
On February 28, 1989 this site received another BOA approval; Case # B-89-15 resolutions are listed on the site plan.

On July 25, 2000, this site received another BOA approval; Case # B-00-21 resolutions are listed on the site plan.

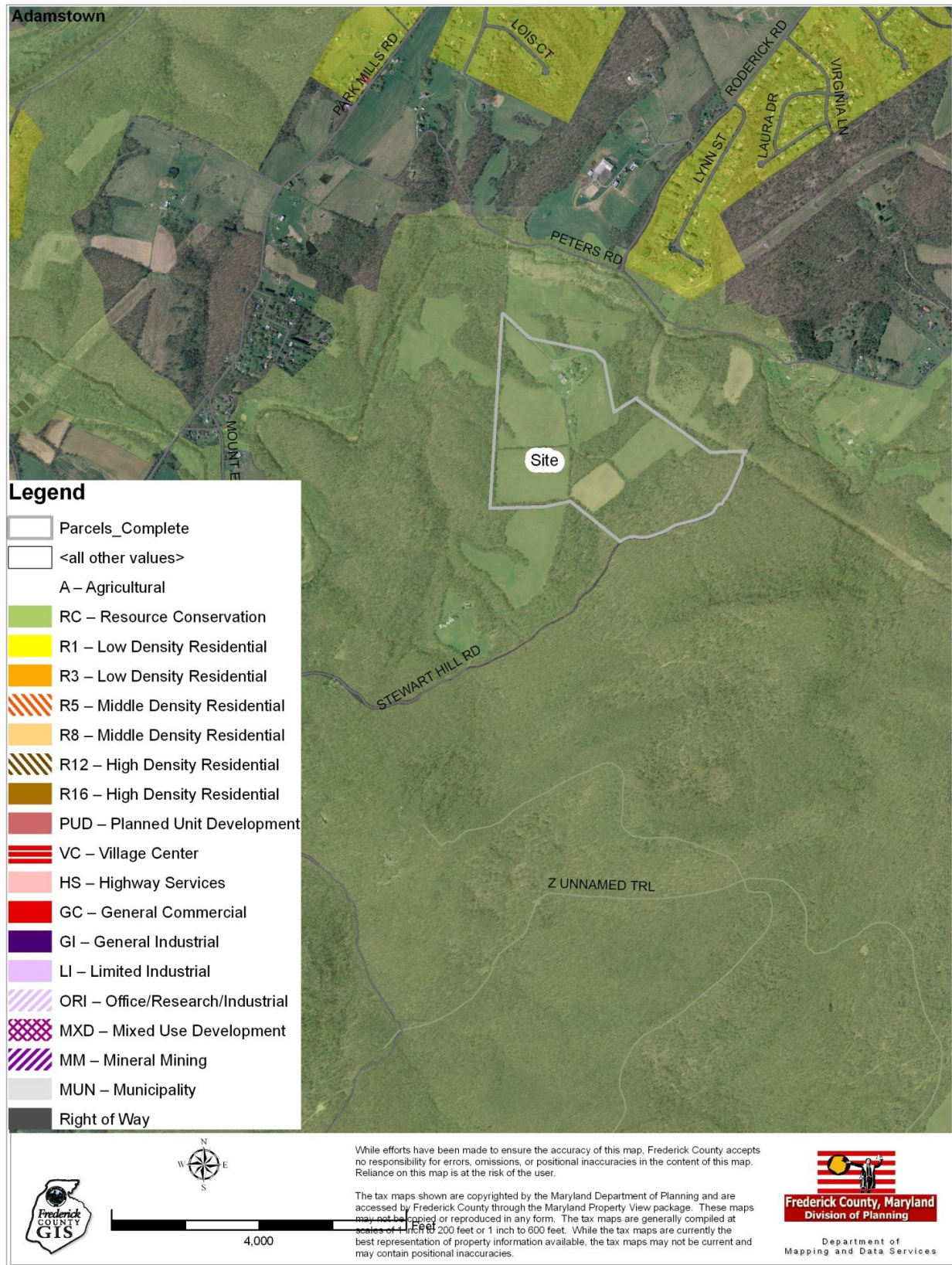
On February 26, 2009, this site received another BOA approval; Case # B-09-01 (see attached Exhibit #2) which granted approval for the proposed 1,132 square foot addition and the 12,565 square foot new building for this site, the resolutions are listed on the site plan.

Frederick County Comprehensive Plan: Urbana Region

The Frederick County Comprehensive Plan indicates that the land use for this property is Natural Resource, shown in light green below. The use proposed for the parcel complies with the Land Use designation within the County Comprehensive Plan.



Zoning: The site is located within the Resource Conservation (RC) Zoning District, shown in light green.



Dimensional Requirements/Bulk Standards: Section 1-19-6.100 of the Zoning Ordinance stipulates the setback requirements and the minimum lot area for the proposed use. The setback requirements are 50-foot front yard and 50-foot rear yard, with 50-foot side yards. The maximum height allowed is 30 feet. The minimum lot size for the zoning district is 5 acres.

The proposed plan meets the Bulk/Dimensional requirements.

Access/Circulation: The access will be via the existing access onto Peters Road, which is located to the west of Roderick Road.

Public Transit: This site is not served by public Transit.

Parking: Pursuant to §1-19-6.220 of the Zoning Ordinance, 1 space is required for every 2 beds. Therefore, 60 beds require 30 spaces. The Applicant is providing parking via a proposed 30-space lot to the south of the proposed 12,565 square foot building, including 2 ADA accessible spaces.

Loading Area: The Applicant is required to provide 2 large loading spaces in accordance with Zoning Ordinance Section 1-19-6.210. The Applicant has provided 2 large loading spaces.

Landscaping: The landscaping contains a variety of plant species, which provide screening as well as aesthetics. The planting schedule follows the standard sizes that have been approved by the Planning Commission. The Applicant has provided parking lot landscaping as well as screening throughout the site. The landscape plan also was designed to help “soften” the façade of the proposed building as well as provide landscaped features throughout the site.

Utilities: The site is to be served by private well and septic and is classified as No Planned Service.

Bicycle Parking: The Applicant is not required to provide bicycle racks.

Lighting: The existing lighting on site consists of building mounted and pole lighting. All lighting shall be placed in such a manner as to not extend glare shielding. The Applicant has noted on the plan that lighting will not exceed 0.5 ft/candles at the periphery of the site and lighting will be directional onto the site with shielding and lighting orientation.

Signage: This site plan is not proposing any new signage on site. This use will use the existing 16 square foot sign which is located at the entrance to this site. This use is permitted up to 32 square feet of signage.

Adequate Public Facilities Ordinance (APFO): This project is exempt from APFO. The additional trips attributable to the proposed improvements are de minimus during the weekday morning and afternoon peak hours. The project is non-residential and it is on private well and septic and therefore the Frederick County Public Schools and DUSWME have no considerations.

Forest Resource Ordinance (FRO): The FRO plan is approved. The Applicant is establishing a FRO easement over existing forest on the property. The FRO easement must be recorded prior to grading or building permits, whichever is applied for first.

OTHER AGENCY COMMENTS

Other Agency or Ordinance Requirements	Comment
Development Review Engineering (DRE):	Approved
Development Review Planning:	A few minor drafting issues noted in Hansen, in addition to items listed in the report.
State Highway Administration (SHA):	Approved
Div. of Utilities and Solid Waste Mngt. (DUSWM):	Approved
Health Dept.	Approved
Office of Life Safety	Approved
DPDR Traffic Engineering	Approved
Historic Preservation	Approved

FINDINGS

Based on the discussion in this report and with the conditions listed below, Staff finds that the application meets and/or will meet all applicable Zoning, APFO and FRO requirements once the conditions of approval have been met.

Staff notes that if the Planning Commission conditionally approves the site plan, the site plan is valid for a period of three (3) years from the date of Planning Commission approval.

Staff has no objection to conditional approval of the site plan.

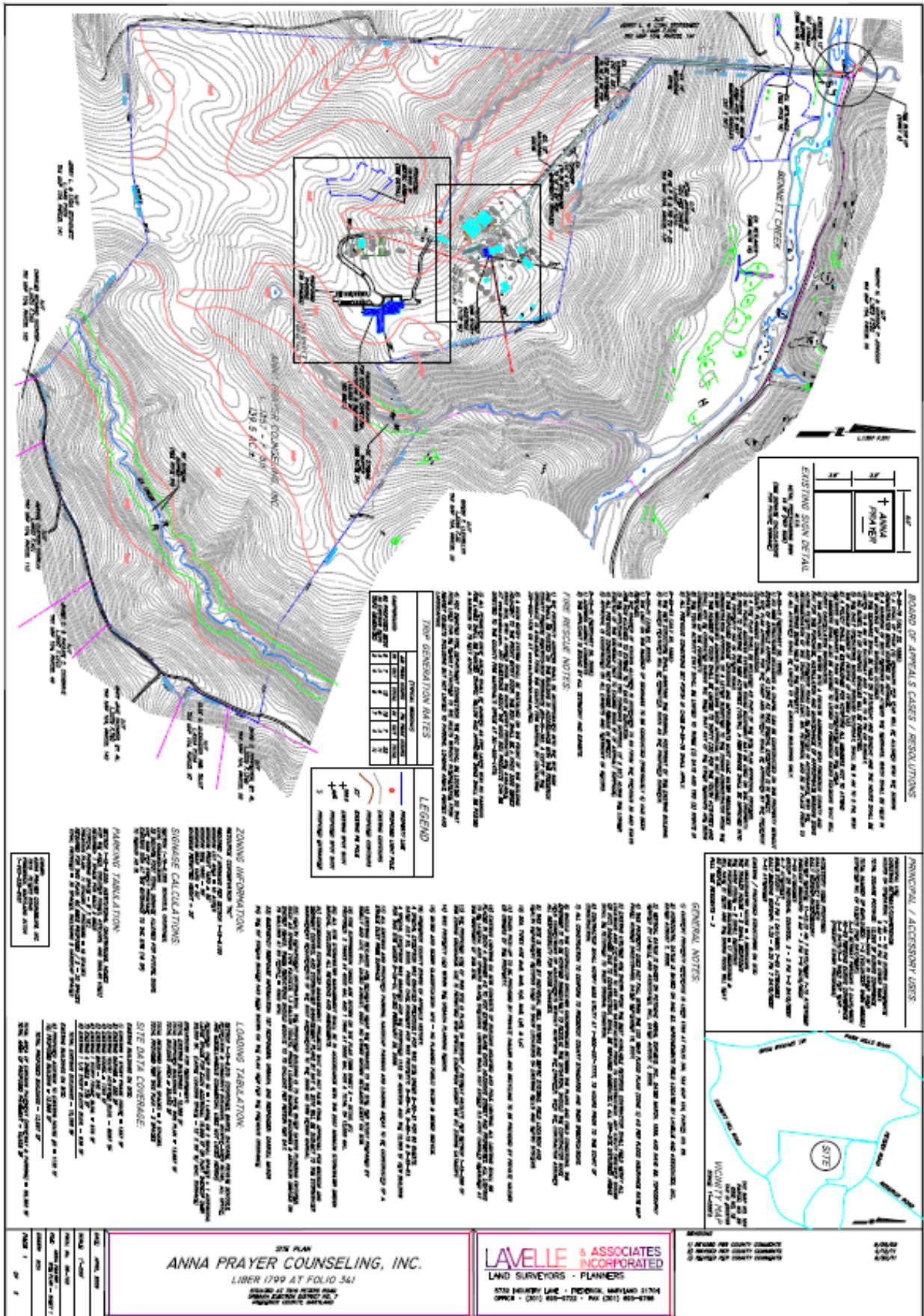
RECOMMENDATION

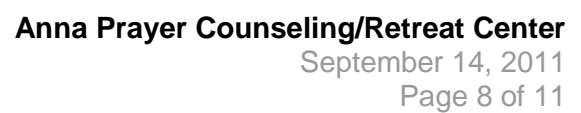
Should the Planning Commission conditionally approve this Site Plan SP # 89-40 (AP# 9827, APFO 9829 & FRO 9828) for the proposed Anna Prayer Counseling Center, the motion for approval should include the following item:

1. Site plan approval for a period of three years from today's date.

Staff recommends that the following items be added as conditions of approval:

1. Address all agency comments as the plan proceeds through completion.







FREDERICK COUNTY BOARD OF APPEALS

Winchester Hall 12 East Church Street Frederick, Maryland 21701 (301) 600-2572

FINDINGS AND DECISION

B-09-01 Anna Prayer Counseling c/o Lavelle & Assoc.

WHEREAS, an application was filed by Rev. Kyung Sook Lee, through their planning firm, Lavelle and Associates, requesting special exception approval in order to add on to the main dwelling a meeting room and to construct a new building [12, 565 sf] to house the 60 guests approved under B-00-21, located on the south side of Peters Rd., approx. 1, 500 ft. west of Roderick Rd. (Tax Map 104, Parcel 29); and

WHEREAS, the Planning staff and the Applicant noted several previous special exceptions granted by the Board for this use: B-86-76; B-89-15; B-89-63 and the 200 case noted above; and

WHEREAS, the Applicant through their planning firm indicated the 1,132 sf addition to the main house would encompass a meeting room and bath; and

WHEREAS, the Applicant through their planning firm indicated that the 12, 565 sf new building would house a new kitchen, cafeteria, auditorium, bathrooms and dormitories; and

WHEREAS, the Applicant through their planning firm indicated that the access road is classed as a part of the County's Rural Roads program and the staff proffered that to their knowledge there had been no complaints by users of the access road over the life of the operation; and

WHEREAS, the Applicant's planning firm indicated some discussions about an alternate access had been discussed with the owner to the south of the subject property; and

WHEREAS, Planning staff noted the pending changes in the Zoning regulations for the Agricultural /Resource Conservation update would affect places of assembly and camps/retreat in the Resource Conservation zoning district; and

WHEREAS, the applicant submitted written and oral testimony and graphic exhibits to use the 139 acre farm and its structures for the proposes of the retreat and religious events; and

WHEREAS, the applicant offered through its planning firm a statement of compliance supportive of the proposal and intended to address the specific criteria outlined in Sections 1-19-3.210 (b) and 8.327 of the Frederick County Zoning Code; and

WHEREAS, a public hearing on said request was duly advertised and held Thursday February 26, 2009 at which time the applicant and his attorney appeared and presented the request; and

WHEREAS, after considering all the evidence and testimony presented at said hearing, and the Board having inspected the premises, the Board of Appeals hereby makes the following findings of fact:

- A. The Board finds the subject property is 139 acres in size and is zoned Resource Conservation.
- B. The proposed additions are designed to accommodate the 60 person authorized in 2000 in upgraded accommodations in the new dormitory and a meeting room and bath in the new addition on the main house.
- C. The applicant's *Justification Statement* as amended by supplements and testimony indicate conformance with the specific criteria of Sections 1-19-8.327 and the general criteria of 1-19- 3.210 provided certain conditions are met.
- D. The Board finds that the proposed use is consistent with the purpose and intent of the Comprehensive Development Plan and of this chapter in that the proposed use of the site is an expansion of the previously approved use.
- E. The Board finds that the nature and intensity of the operations involved in or in connection with it and the size of the site in relation to it are such that the proposed use will be in harmony with the appropriate and orderly development of the neighborhood in which it is located as the affairs intended to be conducted are similar to those authorized.
- F. The Board finds that the operations in connection with this special exception use will not be more objectionable to nearby properties by reason of noise fumes, vibration, or other characteristics, than would be the operations of any permitted use not requiring special exception use such as an intensive farming operation .
- G. The Board finds that the parking areas will comply with the off street parking regulations of this chapter and will be screened from the adjoining residential uses and the entrance and exit drives shall be laid out to achieve maximum safety in conformance to site plan comments and the Rural Roads policy.
- H. The Board finds that the road system providing access to the proposed use is adequate to serve the site for the intended use as the primary route to the site is to be reviewed and approved by the County as noted above.

NOW, THEREFORE BE IT RESOLVED that based on these findings, the Board of Appeals of Frederick County, Maryland grants special exception approval in order to expand the camp by the addition and the new building subject to the following conditions:

- 1. Address agency comments.
- 2. The applicant is bound by all testimony and exhibits.

Said action granting the request was approved unanimously by the Board of Appeals on Thursday February 23, 2009 upon a motion by Mr. Michalski, seconded by Mr. Duke.


Adopted by the Board of Appeals on the 26th day of March, 2009.


Lara Roholt Westdorp, Chair

ABSENT
Ronald Peppe, Sr., Vice Chair


John R. Clapp, Member


Sean Michalski, Member


Alan Duke, Member

Section 1-19-3.200 (J)

A decision of the Board granting a variance or a special exception will be void two years from date of approval unless the use is established or a building permit is issued and construction has begun and is in accordance with the terms of the decision.